

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SAMUEL FELICCIANO,

Plaintiff,

CIVIL ACTION NO.: 10-12046
HON. LAWRENCE P. ZATKOFF

vs.

W. BLAKE

Defendant,

_____ /

ORDER

On November 3, 2011, the parties reached a settlement agreement in this matter (“Settlement Agreement”), wherein Defendant agreed to pay Plaintiff \$33,000.00 in exchange for a release of all of Plaintiff’s claims. As of the date of this Order, Plaintiff has yet to receive payment.

On January 27, 2012, Plaintiff filed a motion to enforce the Settlement Agreement and compel delivery of payment [dkt 57]. On February 10, 2012, Defendant responded to Plaintiff’s motion to enforce, noting that the Detroit City Council had yet to approve the Settlement Agreement. Defendant’s response also claims that “[t]here is no settlement agreement unless and until the settlement is approved by the Detroit City Council.” The Court, however, finds no mention of this contingency in the parties’ Settlement Agreement. *See* Dkt. 56.

On May 14, 2012, the Court entered an Order for Defendant to submit a status report apprising the Court of the status of the Settlement Agreement. Defendant was required to submit the status report on or before May 16, 2012, yet failed to respond to the Court’s Order.

On June 15, 2012, Plaintiff filed a motion requesting from the Court an Order for Defendant to Show Cause as to why he failed to respond to the Court's Order for Status Report. Defendant has twice filed motions for an extension of time to respond to Plaintiff's Motion for an Order to Show Cause.

Accordingly, IT IS HEREBY ORDERED that Defendant SHOW CAUSE, in writing, on or before 5 p.m. on Wednesday, July 18, 2012, as to the following issues:

1. The status of the Settlement Agreement entered into by the parties;
2. Why Defendant's counsel should not be sanctioned for failure to respond to the Court's May 14, 2012, Order.

IT IS FURTHER ORDERED that, in addition to filing his response to the Court's Order to Show Cause via ECF, Defendant shall fax his response to Judge Zatkoff's Chambers in Port Huron, at 810-984-1480.

IT IS FURTHER ORDERED that, in the event that Defendant again fails to timely respond to this Order, Defendant's Counsel and his client shall appear at the Port Huron Federal Building at 9 a.m. on Monday, July 23, 2012, and each business day thereafter, for as long as it takes Defendant's Counsel to sufficiently respond to the Court's inquiries.

IT IS FURTHER ORDERED that in light of this Order, Plaintiff's Motion for Show Cause [dkt 60], Defendant's Motion for Extension of Time [dkt 61], and Defendant's Motion to Amend/Correct [dkt 62] are dismissed as moot.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
United States District Judge

Dated: July 19, 2012